

**REQUIRED STATEMENT  
TO ACCOMPANY MOTIONS FOR RELIEF FROM STAY**

All Cases: Debtor(s) Patrick R. Bennington Case No. 17-26638 Chapter 13

All Cases: Moving Creditor Capital One Auto Finance, a division of Capital One, f Date Case Filed September 06, 2017

Nature of Relief Sought: ☒ Lift Stay ☐ Annul Stay ☐ Other (describe) \_\_\_\_\_

Chapter 13: Date of Confirmation Hearing \_\_\_\_\_ or Date Plan Confirmed January 12, 2018

Chapter 7: ☐ No-Asset Report Filed on \_\_\_\_\_  
☐ No-Asset Report not Filed, Date of Creditors Meeting \_\_\_\_\_

1. Collateral
  - a. ☐ Home
  - b. ☒ Car Year, Make, and Model 2014 CHEVROLET Impala Sedan 4D LT V6
  - c. ☐ Other (describe) \_\_\_\_\_
2. Balance Owed as of Petition Date \$ 16,685.83  
Total of all other Liens against Collateral \$ \_\_\_\_\_
3. In chapter 13 cases, if a post-petition default is asserted in the motion, attach a payment history listing the amounts and dates of all payments received from the debtor(s) post-petition.
4. Estimated Value of Collateral (must be supplied in *all* cases) \$ 11,200.00
5. Default
  - a. ☐ Pre-Petition Default  
Number of months 0.000 Amount \$ 0.00
  - b. ☒ Post-Petition Default
    - i. ☒ On direct payments to the moving creditor  
Number of months 2.111 Amount \$ 899.68
    - ii. ☐ On payments to the Standing Chapter 13 Trustee  
Number of months \_\_\_\_\_ Amount \$ \_\_\_\_\_
6. Other Allegations
  - a. ☒ Lack of Adequate Protection § 362(d)(1)
    - i. ☒ No insurance
    - ii. ☐ Taxes unpaid Amount \$ \_\_\_\_\_
    - iii. ☒ Rapidly depreciating asset
    - iv. ☐ Other (describe) \_\_\_\_\_
  - b. ☐ No Equity and not Necessary for an Effective Reorganization § 362(d)(2)
  - c. ☐ Other "Cause" § 362(d)(1)
    - i. ☐ Bad Faith (describe) \_\_\_\_\_
    - ii. ☐ Multiple Filings
    - iii. ☐ Other (describe) \_\_\_\_\_
  - d. Debtor's Statement of Intention regarding the Collateral
    - i. ☐ Reaffirm
    - ii. ☐ Redeem
    - iii. ☐ Surrender
    - iv. ☐ No Statement of Intention Filed

Date: June 29, 2020 /s/ Jennifer Rinn  
Counsel for Movant